

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|---|---|----------------------|
| In the Matter of |) | |
| |) | |
| Review of the Spectrum Sharing Plan Among |) | |
| Non-Geostationary Satellite Orbit Mobile |) | IB Docket No. 02-364 |
| Satellite Service Systems in the 1.6/2.4 GHz |) | |
| Bands |) | |
| |) | |
| Amendment of Part 2 of the Commission's |) | |
| Rules to Allocate Spectrum Below 3 GHz for |) | ET Docket No. 00-258 |
| Mobile and Fixed Services to Support the |) | |
| Introduction of New Advanced Wireless |) | |
| Services, including Third Generation Wireless |) | |
| Systems |) | |

To: The Commission

MOTION FOR LEAVE TO ACCEPT LATE-FILED OPPOSITION

Fusion UV Systems, Inc. ("Fusion") hereby moves for leave to file the Consolidated Opposition being submitted this date with respect to Petitions for Reconsideration filed by Sprint Corporation, Nextel Communications, Inc., and Wireless Communications Association International, Inc. The Petitions for Reconsideration seek, among other things, imposition of Part 15 in-band power limits on Industrial, Scientific, and Medical ("ISM") equipment in the band 2496-2500 MHz.

It was only recently that the Petitions and related filings in this matter came to Fusion's attention. And, as Fusion understands the state of the record to this point, no party has spoken to the implications of the Petitions for the manufacturers and users of non-consumer ISM devices, as opposed to makers of consumer devices (e.g. microwave ovens) which have filed several Oppositions.

A grant of this Motion will not prejudice any party. On the contrary, acceptance of Fusion's Opposition will contribute to a full and complete record regarding important issues raised by the Petitions, and thus serve the public interest.

Accordingly, this Motion should be granted and the Consolidated Opposition accepted.

Respectfully submitted,

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January 21, 2005

WSH\123313.1

CERTIFICATE OF SERVICE

I, Tina Long, hereby certify that I have caused the attached Motion For Leave To Accept Late-Filed Opposition to be deposited in the U.S. Mail, first class postage prepaid, this 21st of January 2005, addressed as follows:

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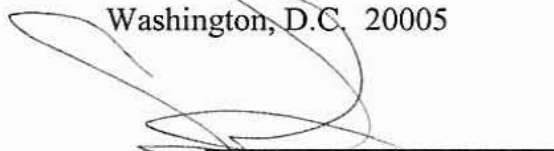
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